

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
IN LEGISLATIVE SESSION

Tuesday, April 6, 1976 Rockville, Maryland

The County Council for Montgomery County, Maryland, convened in Legislative Session in the Council Hearing Room, County Office Building, Rockville, Maryland, at 11:05 A.M. on Tuesday, April 6, 1976.

PRESENT

Norman L. Christeller, President	Esther P. Gelman
John L. Menke, Vice President	Jane Ann Moore
Elizabeth L. Scull, President Pro Tem	Neal Potter
Dickran Y. Hovsepian	

The President in the Chair.

The Journals of March 16 and 23, 1976 were approved as presented.

INTRODUCTION OF BILLS:

Re: Introduction of Bill No. 11-76,
Employer/Employee Relations

The Council had before it for consideration Bill No. 11-76, Employer/Employee Relations.

President Christeller stated that this bill was submitted to the Council by the County Executive during the first week of March. The bill was not scheduled for introduction immediately because he had not had an opportunity to read the bill, and the Council could not possibly schedule a public hearing until after the budget season in May or June. He has been urged by the County Executive and Chief Administrative Officer to introduce the bill as employee groups are quite concerned and need assurances that the proposal will be considered. President Christeller stated that this bill will authorize a "meet and confer" approach to employer/employee relations. It appears that the General Assembly will not enact legislation during this session to allow the more comprehensive collective bargaining approach. He stated that he has reviewed the bill and found that several amendments are needed. He met with a leader of an employee organization yesterday who came almost to the point of asking that the Council not introduce the bill at this point because

of its deficiencies. President Christeller distributed copies of a draft memorandum to the County Attorney requesting the preparation of several amendments to Bill No. 11-76, noting that many of these amendments are of the same nature that the employee organization is interested in. The employee organization has prepared a substitute bill, which he has not had an opportunity to review. However, there will be ample time for the introduction of amendments or an alternate bill prior to the scheduling of a public hearing. He reviewed his draft memorandum to the County Attorney, citing the reasons for his asking for a more precise definition of "management-level employees", a narrower definition of "supervisor", an amendment that would permit one or more separate employee units for all "supervisors" except management-level and confidential employees, explicit language that separate units of professional employees may be established, a provision that the County shall be obligated to discuss matters such as the retirement system and uniform pay schedule, a provision that the County Executive must include in his budget recommendations to the Council any matters on which an agreement has been reached that have budgetary implications, an amendment to require the County Executive to include in the budget presentation the details of the costs of the employee group requests if no agreement has been reached by February 1 of each year, a narrower definition of "confidential employee", assurance that meetings will occur more frequently than every two years if requested, and a provision for check-off of dues. In addition, several technical amendments are needed. President Christeller requested that other Councilmembers review the bill to determine whether there are other desirable amendments that should be drafted.

Upon motion of Councilman Hovsepian, duly seconded and without objection, the Council voted to waive the reading of the title and introduce Bill No. 11-76 by the Council President at the request of the County Executive: AN ACT to add a new Chapter 18A, title "Employer-Employee Relations Act," to the Montgomery County Code 1972, as amended, to follow immediately after Chapter 18 thereof, to provide for the election and certification of employee organizations for purposes of meeting with County officials concerning conditions of employment and the resolution of grievances, but excluding certain topics from being discussed at any such meetings; to provide for the designation of employee

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units from which such employee organizations are elected and which such organizations represent; to provide for the recognition of such employee organizations by the County; to provide for the preparation of position papers by the County and such employee organizations; to provide for procedures for the decertification of employee organizations; to define certain terms; to provide for the Chief Administrative Officer to finally resolve disputes arising under this Article; to specify responsibilities of the County and the employee organizations; to provide for the protection of those County employees who choose not to become members of an employee organization; and to provide for the retention of existing personnel laws and regulations and the option of any employee to pursue a grievance through procedures set forth therein.

Re: Introduction of Bill No. 12-76,
Reorganization of Executive Branch

The Council had before it for consideration Bill No. 12-76, Reorganization of Executive Branch.

Councilman Hovsepian stated that this bill was submitted by the County Executive in order to implement the reorganization of the Executive Branch that has been proposed in the Operating Budget for FY 1977. He noted, however, that the titles of various offices and sections still cannot be correlated with those in the budget office. In addition, he noted that the budget document and other papers have always referred to the "Office of Budget and Research," but existing law refers to the "Budget and Research section"; the same is true of the "Management information services section". He stated that the budget document should be consistent with the language of the law.

President Christeller requested that the Council and public be provided with an organization chart of the Executive Branch of County government. This will aid in understanding the proposal before the Council, and will point out the fact that some offices are not titled in a parallel fashion.

Chief Administrative Officer Hussmann distributed to the Council a partial organization chart for the CAO's office, Community and Government Relations, Employee Relations, Management and Public Policy, and State Affairs. He indicated that he is preparing a memorandum that discusses the rationale behind the proposals.

Councilman Hovsepian moved, duly seconded, that the Council waive the reading of the title of Bill No. 5-76 and proceed to its enactment.

Councilman Potter moved, duly seconded, that action on Bill No. 5-76 be postponed for one week to allow citizens an opportunity to communicate their views to the Council. His motion failed, Councilmembers Potter and Moore voting in the affirmative and Councilmembers Christeller, Hovsepian, Scull, Gelman and Menke voting in the negative.

Without objection, Councilman Hovsepian's motion was adopted.

By a yea and nay vote, Councilmembers Hovsepian, Gelman, Menke, Moore, Scull and Christeller voting in the affirmative and Councilman Potter not voting, Bill No. 5-76, Abolition of Cabin John Park Fire Board, was enacted.

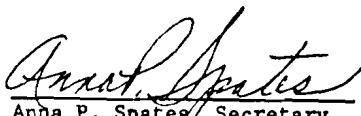
At the suggestion of Councilman Menke and without objection, it was agreed that a letter of explanation on this bill would be sent to all citizens who have expressed concerns over this action.

MISCELLANEOUS BUSINESS:

Bill No. 1-76, Amendment to MPDU Law, was enrolled as Chapter 34; Bill No. 3-76, Amendment to MPDU Law, was enrolled as Chapter 35; and Bill No. 9-76, Bond Bill for Parks and Recreation, was enrolled as Chapter 36.

There being no further official business to come before the County Council in Legislative Session, the meeting adjourned at 11:55 A.M., to reconvene at 1:30 P.M. on Tuesday, April 13, 1976, or at the call of the President.

ATTEST:


Anna P. Spates, Secretary
of the County Council for
Montgomery County, Maryland